

REMARKS

Claims 1-11 are pending. By this Response, claims 1, 5, 10 and 11 are amended. Reconsideration and allowance based on the above amendments and following remarks are respectfully requested.

The Office Action rejects claims 1-11 under 35 U.S.C. §102(e) as being anticipated by Haraguchi, et al. (US 6,222,613). This rejection is respectfully traversed.

Independent claims 1, 5, 10 and 11 have been amended to recite, *inter alia*, creating a menu that lists various models of digital cameras, where selection of a model of digital camera from the menu automatically modifies the default processing conditions to the customized processing conditions created for the selected model of the digital camera. Applicants respectfully submit that Haraguchi fails to teach at least this feature of applicant's claims.

In Haraguchi, an image processing condition memory 73 stores processing conditions which are predetermined for each type of digital camera. An image is processed based on the image processing conditions stored in the memory. An operator determines which processing conditions to use by selecting the desired processing conditions from the memory. In an alternative embodiment of Haraguchi, correlating the image processing conditions with the particular type of digital camera may be performed using an automatic setting. In this embodiment, the data pertaining to a particular digital camera is attached to the original image and then automatically read. A manual setting by the operator is also performed. See column 10, lines 62 through column 11, line 40.

In contrast, in embodiments of applicant's invention, a menu is created which lists various models of digital cameras. A user can select from the list a particular model digital

camera. When the selection is made, the customized processing conditions created for the selected digital camera is automatically established in place of the default processing conditions.

Thus, in embodiments of applicant's invention, the processing conditions associated with a particular digital camera do not have to be selected by an operator. Only the type of digital camera has to be selected. Further, applicants embodiments do not require data to be attached to an image pertaining to the digital camera used to capture the image as with the automatic setting of Haraguchi.

Thus, applicants respectfully submit that Haraguchi fails to teach or suggest, *inter alia*, creating a menu that lists various models of digital cameras, where a selection of a model of digital camera from the menu automatically modifies the default processing conditions to the customized processing conditions created for this selected model of digital camera, as recited in independent claims 1, 10 and 11 and where a menu is created that lists various models of digital camera, where a selection of a model of digital camera from the menu automatically modifies the default processing conditions to the customized processing conditions to the customized processing conditions created for the selected model of digital camera, as recited in independent claim 5.

Therefore, in view of the above, applicants respectfully submit that Haraguchi fails to teach each and every feature of applicant's claim as required under 35 U.S.C. §102 rejection. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Conclusion

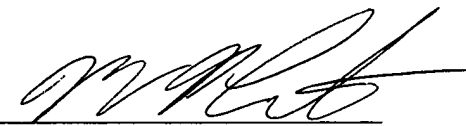
For at least these reasons, it is respectfully submitted that claims 1-11 are distinguishable over the cited art. Favorable consideration and prompt allowance are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings (Reg. No. 48,917) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: February 2, 2006

Respectfully submitted,

By 

Michael R. Cammarata
Registration No.: 39,491
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant